IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

| CITY | OF MEMPHIS, TENNESSEE, |) | | | | |
|-------|------------------------------|---|-----|---------|----|---|
| | Dlaintiff/Countage Defendant |) | | | | |
| v. | Plaintiff/Counter-Defendant, |) | No. | 09-2205 | Ма | P |
| | |) | | | | |
| ZAYO | BANDWIDTH TENNESSEE, LLC |) | | | | |
| f/k/a | MEMPHIS NETWORX, LLC |) | | | | |
| | |) | | | | |
| | Defendant/Counter-Plaintiff. |) | | | | |

ORDER DISMISSING CASE WITH PREJUDICE

Before the Court is the parties' January 21, 2011, stipulation of dismissal with prejudice. (D.E. 47). For good cause shown, this case is DISMISSED WITH PREJUDICE, each party to pay its own costs and expenses.

It is so ORDERED this 24th day of January, 2011.

s/Samuel H. Mays, Jr.
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE